June 25, 1996

EX PARTE OR LATE FILED

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
Rm 222
1919 M St.
Washington, DC 20544

RE: CC Docket 96-98

Dear Mr. Caton, two copies of my

Please find attached ex parte comments on the above proceeding. Please incorporate these comments into the public record on this matter

Thank you for your assistance.

Sincerely,

James M. Tennant

James M. Tennant
President - Low Tech Designs, Inc.
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041

EX PARTE OR LATE FILED

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Implementation of the Local Competition Provisions of the Telecommunications Act of 1996	)	CC Docket No. 96-98

EX PARTE COMMENTS OF JAMES M. TENNANT

I have recently filed ex parte comments in the 91-346 Intelligent Network Docket exposing competitive shortcomings in ILEC Advanced Intelligent Network (AIN) based service triggers (copy attached). I have also filed comments on BellSouth's request for a Part 69 waiver to provide third party access to their AIN Service Creation Environment (copy attached). I understand that the 91-346 record has been incorporated into this docket, so I will address in these 96-98 comments my continuing and additional AIN concerns.

The FCC has had an intelligent network proceeding underway for many years, but for some reason, has not issued any related orders to the ILECs. This is now an excellent time for issues related to third party access to signaling systems and databases to be defined to the satisfaction of new entrants such as myself.

YES, the FCC should use its section 201 authority to require ILECs to provide third parties with access to unbundled AIN elements, as was asked in 96-98, section #114. The 91-346 proceeding greatly predates the current historic 96-98 proceeding, and is much too important to be glossed over or ignored for the sake of establishing new rules for "carriers" exclusively, to the detriment of enhanced service providers (ESPs)[1].

DO NOT allow the proposed ILEC two year testing period for AIN to delay rules concerning access to signaling and database elements. If the ILECs were serious about their AIN testing program, they would have already instituted it.[2] They HAVE NOT as of this date.

I have participated, over the last several months, in the Alliance for Telecommunications Solutions' (ATIS) Information Industry Liaison Committee (IILC)

[1] The House version of the Telecommunications Reform Act, which afforded equal status to ESPs in interconnection to ILECs, did not prevail in conference, as it rightfully should have if the rhetoric about opening up the communications business to all was to be believed. Nevertheless, the Commission is aware of its past obligations to provide ESPs with comparably efficient interconnection to ILECs equipment, facilities and service offerings. These obligations have not changed as a result of the new law, but have actually been expanded, in my opinion.

[2] It should be noted that not all of the ILECs agreed to participate in this testing effort when it was initially announced over a year ago. Most notably, BellSouth, an acknowledge leader in AIN development, declined.

proceedings related to AIN. My impression of the group is that they are currently not capable of moving forward and addressing the critical issues facing them unless they are forced to do so. I have presented specific AIN issues to this group (contained within my 91-346 comments) that I believe they consider to be "too hot to handle", because of their competitive impact and the current uncertainty caused by this proceeding.

As a review of my previous comments will show, the unbundling of AIN triggers, such as the powerful Off Hook Delay trigger, must be required of ILECs before they are made available to the universe of potential service providers. If not, small providers of call processing services, such as myself, will be severely impeded in our efforts to enter the market. The FCC must recognize that software monopoly bottlenecks are just as detrimental to competition as hardware monopoly bottlenecks. The Off Hook Delay trigger is just one of the potential software monopoly bottlenecks that will emerge - just as hardware bottlenecks are being eliminated - without appropriate FCC oversight and action. The ILECs and large IXCs have been working on AIN service development for some time now. Without provisions for niche players to offer targeted solutions to call processing needs, powerful, all encompassing AIN triggers will be quickly gobbled up by the ILECs and IXCs, to the detriment of the public and small ESPs.

There is also a need for a nationwide, uniform implementation of AIN trigger activation by the dialing of public office codes [3] This would provide all telephone subscribers in a central office access to the call processing intelligence offered by an ESP. By dialing a three digit public access code, all telephone users would have access to advanced call processing logic without having to install an AIN trigger on each subscriber line. This solution, while not as elegant as activating a transparent trigger on a subscriber line, could be easily implemented, while avoiding potentially excessive AIN trigger installation charges for each service user. In many ways, this approach is superior to the line based trigger approach and does not present monopoly bottleneck issues.

Currently, the best example of this approach is in Connecticut, where SNET subscribers can dial *99, followed by a 1+ interstate telephone number. This free service, known as Star*99(tm), uses currently available AIN technology and automatically selects the least expensive route for the long distance call. The underlying carriers are AT&T, MCI and Sprint, with the actual service provider being a SNET long distance subsidiary. This service, limited as it may be due to the use of high retail tariffed rates and a limited carrier universe, is an example of mature AIN technology being used to implement smart PIC type services for the benefit of long distance consumers

From a consumer's perspective, I would prefer to see this service being offered by an ESP, or by a reseller of ILEC services concentrating on the provision of innovative call processing solutions. I would also prefer to see it include the entire universe of IXCs serving that exchange, so that real time competition between long distance service companies and resellers could occur, using electronic commerce principles.

[3] Several ILECs also offer casual usage of custom calling codes by subscribers on a billable, per use basis, without the prior need for service subscription. These codes can also be considered a public office code.

Unfortunately, I must bring to the Commission's attention competitive and antitrust issues related to this already viable, consumer friendly, electronic commerce environment for long distance services.

Last year, US West and AT&T were both been issued questionable patents for AIN based service concepts that I'm sure will never see the light of day - if they can help it. The US West patent, No. 5,420,914, "System and Method for Real Time Carrier Selection", covers AIN based least cost routing of long distance calls. The AT&T patent, No. 5,473,630, "Telecommunications Rate Data Base Accessing", issued to no less than Mr. Arno Penzias, head of Bell Labs, anticipates the same US West AIN based capability, but with the added twist of using the AIN/ISDN/SS7 networks to provide real-time data on carrier rates. Taken together, these patents give US West and AT&T a twenty year right to an entire electronic commerce market, something I hope the Commission, the US. Patent Office, and the Antitrust Division of the Justice Department will object to and collectively overturn. (Patent abstracts attached)

Any participant in this industry, since the introduction of intelligent PBX's and Centrex services, can tell you that least cost routing is an established and common part of switch software. The use of AIN to provide the intelligence for carrier selection and ISDN or an SS7 signaling path for rate updates is not unique and does not pass the obviousness test required for patents, in my opinion and in the opinion of others in the industry that I have querried on the subject.

These patents, and the anti-competitive intent behind them, are examples of the environment the Commission now finds itself in. These large companies, and others like them, in my opinion, have no real interest in competition for their own services, and will use any means they can to stifle innovation and preserve the status quo.

It is ironic that this whole reform of our telecommunications laws has been largely driven by the desire of the ILECs to enter the incredibly profitable long distance business. Now we have the technology, in the form of AIN, that can end the confusion experienced by most people trying to determine who can provide the best long distance rates. Unfortunately, the technology, which the ILECs beg us to believe is "not ready for prime time", may never reach its full potential if these patents are allowed to stand.

Is there any wonder, given the desire of the ILECs to enter the long distance market, that they are dragging their feet in the introduction of AIN, and requesting the Commission to only define the bare minimum of access to signaling and database capabilities? What does the existence, for almost a year, of the SNET Star*99(tm) service[4], mean to the ILECs when they talk about the need for two years of AIN testing before they make it ready for introduction? Innovative solutions to the needs of telephone users are available today, as the SNET experience will attest. Will the ILECs be successful in blocking <u>all</u> third party AIN solutions until they finish their proposed two year testing period? Will AT&T and US West be able to corner the electronic commerce market in long distance for the next twenty years? As an ESP and consumer, I hope not.

[4] Technically and legally speaking, the SNET service is infringing on the US West Patent. I would hope SNET would join with the Commission to see that this patent is overturned, as I understand that SNET finds their service to be a moneymaker.

Please intervene in these patent issues that I have brought to your attention, as I understand the Commission has done in the past where competitive outcomes were at stake. The presence of a virtual and invisible hand of the FCC in a totally deregulated, supposedly "competitive" long distance environment is at risk otherwise.

Also, please issue strong, specific rules regarding AIN, signaling and database access. Require ILECs to allow resellers, CLECs and ESP's to provide their own System Control Points (SCPs) so that a full range of intelligent call processing services can be offered to consumers. The IN proceeding, in my opinion, has been strengthened and expanded by the Section 251 network unbundling requirements. The Commission should view AIN, database and signaling system access from a new perspective under the current law.

If necessary, initially restrict the non-ILEC SCPs to processing basic call types that are already fully understood and that can be completed by the ILEC on a default basis in the case of unforeseen non-ILEC SCP problems. These services would include those based on an unbundled AIN Off Hook Delay trigger, since the ILEC would always be able to route the call using their own or the presubscribed carrier(s) network after an appropriate time-out period from the non-ILEC SCP. Traditional dialing of 1+ calls, without the initial public access code would also be available in case of ESP SCP failure.

The same access to competitive call processing features would be of benefit to wireless telephone users also. I urge the Commission to require equal access to long distance carriers for all wireless providers, along with third party AIN access, so that their customers will have the advantage of third party call processing intelligence for themselves.

Respectfully submitted,

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Date: June 25, 1996

Copies to:

FCC (Commissioner Reed Hundt, Paul Galant, Robert Tanner)
US Justice Department Antitrust Division (Anne K. Bingaman, et al)
US Patent and Trademark Office (Commissioner Bruce A. Lehman)

United States Patent 5,420,914
Blumhardt May 30, 1995

System and method for real time carrier selection

Inventors: Blumhardt; Mark S. (Niwot, CO).
Assignee: U S West Technologies, Inc. (Boulder, CO).
Appl. No.: 203,182
Filed: Feb. 28, 1994

Intl. Cl.: H04M 15/00
U.S. Cl.: 379/114; 379/115; 379/128; 379/131
Field of Search: 379/113, 114, 131, 140, 112

References Cited

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4,585,904	Apr., 1986	Mimron et al.	379/131
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5,237,604	Aug., 1993	Ryan	379/220
5,241,588	Aug., 1993	Babson, III et al.	379/201

Primary Examiner: Chin; Stephen
Assistant Examiner: Kim; Kevin
Attorney, Agent or Firm: Brooks and Kushman

Abstract

A method and system for real time selection of an inter-exchange telephone carrier for a telephone call. The system includes a processing, storage and routing equipment capable of performing the method steps of generating a call information signal, storing a carrier rate for each of the plurality of carriers, each carrier rate including a toll, calling day and calling time, processing the call information signal and the carrier rates to select the carrier having the least expensive toll for the day and time the call is placed, and routing the call through the carrier selected.

2 Claims, 4 Drawing Figures

United States Patent 5,473,630
Penzias, et. al. Dec. 5, 1995

Telecommunications rate data base accessing

Inventors: Penzias; Arno A. (Highland Park, NJ); Young; Joel K. (Middletown, NJ).
Assignee: AT&T Corp. (Murray Hill, NJ).
Appl. No.: 006,337
Filed: Jan. 19, 1993

Intl. Cl.: H04M 15/00
U.S. Cl.: 375/114; 379/115; 379/130
Field of Search: 379/112, 113, 114, 115, 121, 133, 134, 135, 207, 219, 220, 221, 212, 230, 231

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4,410,765	Oct., 1983	Hestad et al.	379/112
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5,249,221	Sept., 1993	Ketring	379/212
5,311,572	May, 1994	Friedes	379/220
5,337,352	Aug., 1994	Kobayashi	379/221

Primary Examiner: Chin; Stephen
Assistant Examiner: Loomis; Paul
Attorney, Agent or Firm: Slusky; Ronald D

Abstract

Interexchange carriers make their rate information for long-distance service available in a database. PBXs and telephone central offices access that rate information using ISDN and/or SS7 signaling and use it as a basis for determining which carrier to use at any given time in the routing of a call. Such accessing may be carried out on a call-by-call basis. Or a carrier's schedule of rates can be stored locally in the PBX or local switching office, thereby obviating the need for a database query for every call.

15 Claims, 6 Drawing Figures

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D C 20554

In the Matter of	)	
	)	CC Docket No. 91-346
Intelligent Networks	)	

WRITTEN EX-PARTE COMMENTS OF JAMES M. TENNANT

James M. Tennant, President of Low Tech Designs, Inc., an aspiring third party Advanced Intelligent Network (AIN) developer respectfully files the following comments in the above captioned proceeding.

My interest in AIN stems from my desire to use the AIN capabilities offered by LEC's to provide a variety of innovative call processing and information services to telecommunications consumers.

Enhanced Service Provider (ESP) AIN access represents a landmark capability for telephone subscribers. Never before have telephone users had the ability to take advantage of entrepreneurally driven, AIN call processing features. For the first time, features and capabilities that have appeal outside of the existing industry player's immediate commercial interests can be conceived and implemented, to the economic benefit of all telecommunications users.

Unfortunately, access to these advanced call processing capabilities has not been assured by the Commission. It is my hope that the Commission will treat equal and appropriate ESP access to Intelligent Network functions as a high priority in this instant docket.

In the past and current environment, it has been necessary for ESP's, such as myself and others, to disclose their service features and functions to a degree of detail that allows the LEC to have proprietary knowledge of the proposed service offerings. These service details may have a competitive impact on current or future LEC service offerings, or may fall outside of what LEC's may consider to be "standard" telephony features.

I fear that LEC willingness to move forward with AIN development and deployment may hinge upon the degree of concern LEC's may perceive in potential ESP service offerings. This could prompt the LEC's to consciously or unconsciously slow down or hinder the introduction of AIN capabilities. Specifically, I have reason to believe that my proposed AIN based service offering is of the nature that would be considered beneficial to consumers, but of a problematic nature to current industry players, not from a technical standpoint, but from a standpoint of the nature of the service itself.

The industry, in my analysis, differs greatly on the speed in which individual LEC's have seen fit to deploy AIN features and ESP access. I have recently become aware of a paper that has been an ex-parte filing with the commission in this docket, dated June 23, 1995, titled "LEC Proposal for an Industry Intelligent Network Project". This

proposal outlines a two year study period in which LEC's, IXC's and ESP's would collaborate to establish tests related to requirements and issues associated with mediated access to AIN. Included in this proposal was a statement that it could serve as a "path forward in CC Docket 91-346"

It should be noted that not all of the major LEC's have committed to participate in this effort, and that some have preferred to be considered "supporting", rather than "active" participants. Most notably, BellSouth, an industry leader in AIN implementation, has taken a supporting, rather than an active role in this effort. Per industry contacts at BellSouth and Pacific Bell, no collaborative efforts on this proposal have actually been taken as of this date.

Evidently, BellSouth has moved forward on their own AIN technical underpinnings, as evidenced by their recent Part 69 Waiver Request (CCBPol 96-1), a prelude to a tariff filing for their Design Edge(sm) Third Party AIN application creation environment. I further understand that BellSouth has done considerable independent work on the mediated access issue, even to the extent that a U.S. Patent No. 5,438,568, titled "Mediation of open advanced intelligent network interface for public switched telephone network", was recently issued in their name on August 1 1995.

Since I am currently involved in efforts with BellSouth on my own third party AIN service implementation, I am opposed to efforts by LEC's to delay, on an industry-wide basis, the availability of AIN third party access. As such, I urge the FCC to view the "LEC Proposal for an Industry Intelligent Network Project" in this light.

While I am supportive of technical testing of AIN capabilities, I am opposed to a cross-industry project that would unnecessarily and, on a blanket basis, delay the availability of AIN access to third parties. Any FCC rules issued as part of this docket should encourage individual LEC's that are ready to move forward with AIN deployment to do so (assuming outstanding competitive and monopoly bottleneck issues are resolved), particularly if the applications have no service implications outside of their service territory.

Any FCC rules should also set a date certain for ESP access to Open AIN capabilities that have been determined, by testing or practical implementation, to be ready for introduction into general use. As an example, these classes of AIN capabilities could be relatively simple services that are based upon analysis of subscriber dialed digits, where the ESP would not be attempting to create or influence network connections or functions that fall outside of the normal and generally anticipated actions of current telephone subscribers. The Off Hook Delay trigger is an example of this type AIN functionality, where the ESP would only become involved as a result of subscriber actions. This type of AIN capability provides the ESP with an opportunity to add value to the call processing flow, while still allowing the LEC to force call completion to protect network integrity if a response time-out threshold is reached or if a system unavailable response is sent by the ESP. Another example would be in Basic AIN situations, such as in the BellSouth DesignEdge(sm) environment, where the LEC was providing the service logic execution environment and was in a prime position to insure conformance with network protection issues

My second issue relates to the implementation of AIN Triggers. One of the AIN triggers defined by LEC's and Bellcore is the Off Hook Delay trigger (OHD). This trigger collects a string of dialed digits, and then offers them for subsequent processing by the call processing logic. Once the call processing decisions are made, the dialed number, with possible modifications, is returned to the switching network for completion.

The current Off Hook Delay Trigger, as defined by Bellcore standards, is an all or nothing proposition. This essentially means that ALL calls - seven digit local, ten digit local, long distance, toll free, 1-900, etc - would be collected and sent to the third party for processing.

From a real world perspective, this all or nothing OHD trigger is overkill and would cause unnecessary trigger charges to be generated for third party service providers.

A concrete example, to expand on the above assertion, would be in the case of an interexchange carrier wishing to implement intralata presubscription on behalf of their subscribers. Currently, many states have authorized 10XXX intralata competition without ordering intralata presubscription capability for LEC subscribers. Implementation of AIN based intralata presubscription is an excellent potential application for the AIN Off Hook Delay Trigger

Under the current OHD trigger implementation the interexchange carrier in the above example would obtain subscriber approval for the OHD trigger to be placed on their line, and would then start receiving ALL dialing attempts made by that subscriber. The intralata calls in question would have the appropriate 10XXX code automatically prefixed to the dialed number before the call was returned to the network, thereby effectively implementing intralata presubscription without requiring regulatory order. However, from an economic and subscriber standpoint, the only dialing attempts that are wanted and needed by the IXC are the ones associated with 1+ intralata calls.

Conceivably, third party AIN developers might only be interested in 0+, 1+, 1-800 calls, 1-900 calls, 976 calls, local calls, or 011+ international direct dialed calls, without needing or desiring any other calls for processing.

Without some form of screening for the Off Hook Delay Trigger, the probability exists that third party developers, and ultimately telephone subscribers, would incur extra charges for superfluous and unproductive AIN trigger activations. The effect of these extra charges could either cause innovative third party AIN feature implementations to become totally economically inviable, or it could increase service costs to the point where it would severely restrict the widespread implementation of a feature that would normally have broad consumer appeal and acceptance

A potential solution to this problem resides in the creative utilization of the powerful Advanced Intelligent Network call processing capability itself. AIN has repeatedly been described by the industry as a method for introducing advanced call processing features to telecommunications networks without requiring costly and long lead time rewrites to switching equipment software By producing in-house developed, market driven customized and mediated triggers, embedded cost LEC network intelligence could be used to provide cost effective and timely solutions to the "all or nothing" OHD

trigger scenario outlined above. I have recently heard this concept referred to by the industry as the "split trigger" approach

I have confirmed with a Bellcore AIN expert (Jack Nasielski @ 908-758-2310), that software filtering mechanisms contained within a Service Control Point (SCP) could indeed be used to provide a split OHD trigger, thereby providing targeted solutions for both LEC and third party AIN developers

One of the consequences of this new "splitting" capability would be a beneficial expansion in the selectivity of OHD triggers that could be offered, along with a corresponding expansion in the number and variety of potential services that could be offered by LEC's and third party developers to telephone subscribers.

Due to its "all or nothing" nature, the current OHD trigger is restricted to one per subscriber line. This restricts the trigger for use by only one AIN service provider. However, two or more non-conflicting third party or LEC provided AIN features, based around the same OHD trigger, might be desired by the same subscriber on the same line.

The OHD trigger, as currently defined and implemented, would not allow for consumer choice and options in this regard. This restriction establishes yet another potentially powerful monopoly bottleneck that could benefit LEC's and future third party developers alike.

The first ESP or LEC to capture a customer, by virtue of just one AIN service, would be in a powerful position to provide additional same trigger based services and to effectively block the use of this trigger by other AIN service developers. In order to win this customer for a different AIN service, the competing developer would be forced to create their new service, recreate the previously installed service, and then market both services to a potentially confused customer who would be wondering why both service providers couldn't coexist on the same line

This additional development burden would delay the introduction of innovative, non-competing services, and would reward LEC's and IXC's by virtue of their existing customer communications channels (monthly telephone bill marketing inserts) and expertise and knowledge base in the development and marketing of AIN based service features. Knowing full well in advance of the incredible advantage the first service provider would have under this all or nothing environment, a LEC or IXC would have powerful incentives to conduct a marketing blitzkrieg to capture as many triggers installations as possible from their subscribers, thereby effectively blocking the timely introduction of new features into the network by newly emerging service providers.

In contrast, by using the inherent AIN and SCP based filtering capabilities to create split triggers (for the OHD trigger and any other similarly restrictive triggers), consumer choices and options for third party and LEC AIN services would be expanded. Similarly, revenue opportunities for IXC and LEC AIN retail products and LEC wholesale services will also be enhanced. This will create a win-win-win situation for consumers, LEC's, and third party AIN service providers.

Another inherent advantage LEC's bring to the AIN development arena is their almost exclusive right to use central office feature access codes. Currently defined AIN triggers, such as the "Public Feature Code", provide a way to allow an entire central office to be equipped with an unused code that could be dialled by all subscribers to activate an AIN trigger. This would allow any subscriber to activate an AIN feature on a per-use-basis, without having to previously subscribe to that feature. This capability is potentially important, particularly since I have been told that the non-recurring charge for an individual trigger could cost an estimated $20 per subscriber line, a possible barrier to entry for all service providers.

If the Public Feature Code trigger were installed in a central office, and a unique feature code were made available for general public use, the associated AIN service feature could be made available to a large number of potential users without the need for confusing third party service establishment procedures and costly LEC trigger provisioning charges. An example of this type universally available service is Southern New England Telephone's Star *99(sm) service, which offers automatic selection of the least cost interlata long distance carrier when *99 is dialed prior to a 1+ interlata call.

Another critical issue that I would like to bring to the attention of the Commission regards the recent passage of the Telecommunications Reform Act of 1996. In this new law, small businesses and entrepreneurs must wait for a "Market Entry Barrier's Proceeding" to take place within 15 months after the passage of the bill. In that proceeding, the Commission is instructed by law to "complete a proceeding for the purpose of identifying and eliminating, by regulations pursuant to its authority under this Act ...., market entry barriers for entrepreneurs and other small businesses in the provision and ownership of telecommunications services and information services, or in the provision of parts or services to providers of telecommunications services and information services."

Since access to the Advanced Intelligent Network represents a major opportunity for small businesses and entrepreneurs in the provision of innovative call processing and information services to consumers, I encourage the Commission to use this instant docket to eliminate any potential market entry barriers now and not wait until a later date to address this important equal access issue. If consumers are to start receiving the benefits of increased competition in the telecommunications business, all market participants, including ESP's, should be in a position to offer enhanced services on a timely basis.

CONCLUSIONS

Small businesses, such as mine, need access to the capabilities offered by AIN without delay and without requiring additional pleading time before the Commission.

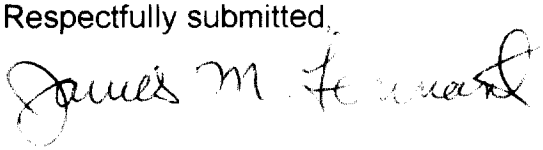
As I have outlined in my comments, the current "all or nothing" implementation of the AIN Off Hook Delay Trigger offers yet another powerful monopoly bottleneck that could thwart or eliminate competition and innovation in this nascent market.

The FCC should insure that any AIN triggers (including the OHD and any other "all or nothing" triggers) offered by LEC's incorporate the flexible filtering mechanisms I have outlined above prior to their introduction to the general public. Concurrently, LEC's

should also offer ESP's the ability to use feature access codes trigger activation for use with their services.

Most importantly, allowing the powerful AIN Off Hook Delay Trigger to be offered in its current restrictive form will not be in the long term best interests of consumers, third party developers or LEC's

Respectfully submitted,



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DATE: February 16, 1996

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)
	)
BELLSOUTH TELECOMMUNICATIONS, INC.'S	)
PETITION FOR EXPEDITED WAIVER OF PART 69	)
RULES [DA 96-27]	)

COMMENTS OF JAMES M. TENNANT

James M. Tennant, President of Low Tech Designs, Inc., an aspiring third party AIN developer, respectfully files the following comments in the above captioned proceeding.

This request by BellSouth is the first in an anticipated series of filings designed to provide third party access to their Advanced Intelligent Network (AIN). It is also the first filing by an RBOC with publicly announced plans to offer third party access to their AIN capabilities. As such, it is an important precedent setting matter.

My interest in AIN stems from my desire to use the AIN capabilities offered by BellSouth and other LEC's to offer a variety of innovative call processing services to telecommunications consumers.

As such, I am in favor of the FCC granting BellSouth's petition in this matter.

However, I would like to make known my concerns regarding the specific AIN capabilities that BellSouth has outlined in their current and previous FCC filings and in their publicly published comments on AIN.

One of the AIN triggers defined by BellSouth and Bellcore is the Off Hook Delay trigger (OHD). This trigger collects a string of dialed digits, and then offers them for subsequent processing by the call processing logic. Once the call processing decisions are made, the dialed number, with possible modifications, is returned to the switching network for completion.

The Off Hook Delay Trigger, as currently defined by Bellcore standards, is an all or nothing proposition. This essentially means that ALL calls - seven digit local, ten digit local, long distance, toll free, 1-900, etc. - would be collected and sent to the third party for processing. However, an "escape code list" does provides limited filtering of N11 and special feature access and activation codes.

From a real world perspective, this all or nothing OHD trigger is overkill and would cause unnecessary trigger charges to be generated for third party service providers.

A concrete example, to expand on the above assertion, would be in the case of an interexchange carrier wishing to implement intralata presubscription on behalf of their subscribers. Currently, many states have authorized 10XXX intralata competition

without ordering intralata presubscription capability for LEC subscribers. Implementation of AIN based intralata presubscription is an excellent potential application for the AIN Off Hook Delay Trigger

Under the current OHD trigger implementation the interexchange carrier in the above example would obtain subscriber approval for the OHD trigger to be placed on their line, and would then start receiving ALL dialing attempts made by that subscriber. The intralata calls in question would have the appropriate 10XXX code automatically prefixed to the dialed number before the call was returned to the network, thereby effectively implementing intralata presubscription without requiring regulatory order. However, from an economic and subscriber standpoint, the only dialing attempts that are wanted and needed by the IXC are the ones associated with 1+ intralata calls.

Conceivably, third party AIN developers might only be interested in 0+, 1+, 1-800 calls, 1-900 calls, 976 calls, local calls, or 011+ international direct dialed calls, without needing or desiring any other calls for processing

Without some form of screening for the Off Hook Delay Trigger, the probability exists that third party developers, and ultimately telephone subscribers, would incur extra charges for superfluous and unproductive AIN trigger activations. The effect of these extra charges could either cause innovative third party AIN feature implementations to become totally economically inviable, or it could increase service costs to the point where it would severely restrict the widespread implementation of a feature that would normally have broad consumer appeal and acceptance

A potential solution to this problem resides in the creative utilization of the powerful Advanced Intelligent Network itself. AIN has repeatedly been described by the industry as a method for introducing advanced call processing features to telecommunications networks without requiring costly and long lead time rewrites to switching equipment software. By producing in-house developed, market driven customized triggers, embedded cost LEC network intelligence could be used to provide cost effective and timely solutions to the "all or nothing" OHD trigger scenario outlined above

I have confirmed with a Bellcore AIN expert (Jack Nasielski @ 908-758-2310), that AIN itself could indeed be used to customize the OHD trigger, thereby providing targeted solutions for both LEC and third party AIN developers

One of the consequences of this new customization capability would be an expansion in the number of unique OHD triggers that could be offered, along with a corresponding expansion in the number and variety of potential services that could be offered by LEC's and third party developers to telephone subscribers

Due to its "all or nothing" nature, the current OHD trigger is restricted to one per subscriber line. This restricts the trigger for use by only one AIN service provider. However, two or more non-conflicting third party or BellSouth provided AIN features might be desired by the same subscriber on the same line.

The OHD trigger, as currently defined and implemented, would not allow for consumer choice and options in this regard. This restriction establishes yet another potentially

powerful monopoly bottleneck that would benefit BellSouth, other LEC's, and future third party developers alike.

By using the inherent AIN based filtering capabilities to expand the variety and number of available OHD triggers, consumer choices and options for third party and LEC AIN services will be expanded. Similarly, revenue opportunities for BellSouth AIN retail products and wholesale services will also be enhanced. This will create a win-win-win situation for consumers, BellSouth, and third party AIN service providers.

CONCLUSION

I support the current waiver request of BellSouth in this matter. However, as I have outlined in my comments, the current implementation of the AIN Off Hook Delay Trigger offers yet another powerful monopoly bottleneck that could thwart or eliminate competition and innovation in this nascent market.

The FCC should insure that any AIN services offered by BellSouth and other LEC's incorporate the flexible filtering mechanisms I have outlined above.

Allowing the current AIN Off Hook Delay Trigger to be offered in its current form will not be in the immediate or long term best interests of consumers, third party developers or LEC's.

Respectfully submitted,

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